



PATENT  
Docket No. 275.00030102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Li et al. ) Group Art Unit: 1635  
)  
Serial No.: 10/038,984 ) Examiner: Tracy Ann Vivlemore  
Confirmation No.: 9705 )  
)  
Filed: January 4, 2002 )  
)  
For: COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO  
ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED  
RNA

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of candor and good faith that is to be demonstrated before the United States Patent and Trademark Office (USPTO), enclosed are copies of documents which Applicants bring to the Examiner's attention as possibly being of interest in connection with the above-identified patent application. Per M.P.E.P. § 609, the information cited in the present Information Disclosure Statement shall not be construed to be an admission that the information is, or is considered to be, material to patentability. Consideration of each of the documents listed on the attached 1449 form(s) is respectfully requested. Pursuant to the provisions of MPEP §609, Applicants further request that a copy of the 1449 form(s), marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

Since this Supplemental Information Disclosure Statement is submitted after receipt of an Office Action in the above-identified patent application, please charge the fee of \$180 under 37 CFR §§1.97(c) and 1.17(p), and any additional fees or credit any overpayment to Deposit Account No. 13-4895.

**Supplemental Information Disclosure Statement**

Applicant(s): LI et al.

Serial No.: 10/038,984

Confirmation No.: 9705

Filed: January 4, 2002

For: *COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA*



Page 2 of 2

When the Examiner takes up the present application, consideration of these documents is respectfully requested. The Examiner is invited to contact Applicants' Representatives at the below-listed telephone number, if they can be of any assistance during prosecution of the present application.

**CERTIFICATE UNDER 37 C.F.R. 1.10:**

The undersigned hereby certifies that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated below and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

"Express Mail" mailing label number:

EV201891600 US

Date of Deposit: 3-8-05

Sandy Truehart

Name: Sandy Truehart

March 8, 2005

Date

Respectfully submitted for  
LI et al.

By

Mueeting, Raasch & Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Telephone (612)305-1220

Facsimile (612)305-1228

**Customer Number 26813**

By:

Victoria A. Sandberg

Victoria A. Sandberg

Reg. No. 41,287

Direct Dial (612)305-1226

**INFORMATION  
DISCLOSURE  
STATEMENT**

Atty. Docket No.: 275.00030102

Serial No.: 10/038,984

Applicant(s): LI et al.

Confirmation No.: 9705

Application Filing Date: 01/04/02

Group: 1635

Information Disclosure Statement mailed:

March 8, 2005

**U.S. PATENT DOCUMENTS**

Examiner Initial	Copy Enclosed	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	✗	5,580,859	12/03/96	Felgner et al.			
	✗	5,624,803	04/29/97	Noonberg et al.			
	✗	5,631,148	05/20/97	Urdea			

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Copy Enclosed	Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	✗	1994/01550	01/20/94	WO				
	✗	1995/15378	06/08/95	WO				
	✗	1997/11170	3/27/97	WO				

**OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)**

Examiner Initial	Copy Enclosed	Document Description
	✗	Adams, "RNA Therapeutics Enter Clinical Trials," (2005) The Scientist, Vol.19, Issue 1. Retrieved from the Internet on 01/18/05. Retrived as <a href="http://www.the-scientist.com/2005/1/17/28/1">http://www.the-scientist.com/2005/1/17/28/1</a> 6 pages
	✗	Andino, "RNAi puts a lid on virus replication," (2003) Nature Biotechnology, Vol. 21, No.6, pgs. 629-630
	✗	Caplen, "RNAi quashes polyQ," (2004) Nature Medicine, Vol.10, No. 8, pgs. 775-776
	✗	Check, "Hopes rise for RNA therapy as mouse study hits target," (2004) Nature, Vol. 432, pg. 136
	✗	Dorland's Illustrated Medical Dictionary, (2000) 29 <sup>th</sup> Edition, page 1140
	✗	Heidel et al., "Lack of interferon response in animals to naked siRNAs," (2004) Nature Biotechnology, Vol. 22, No. 12, pgs. 1579-1582
	✗	McCaffrey et al., "RNA Interference in Adult Mice," (2002) Nature, Vol. 418, pgs. 38-39

<b>EXAMINER</b>	<b>Date Considered</b>
<p>*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

<b>INFORMATION DISCLOSURE STATEMENT</b>	<b>Atty. Docket No.:</b> 275.00030102	<b>Serial No.:</b> 10/038,984
	<b>Applicant(s):</b> LI et al.	<b>Confirmation No.:</b> 9705
	<b>Application Filing Date:</b> 01/04/02	<b>Group:</b> 1635
	Information Disclosure Statement mailed: <u>March 8</u> , 2005	

Examiner Initial	Copy Enclosed	Document Description
	✖	McCaffrey et al., "Inhibition of hepatitis B virus in mice by RNA interference," (2003) Nature Biotechnology, Vol. 21, No. 6, pgs. 639-644
	✖	News Release. "Acuity Pharmaceuticals Closes \$15 Million Financing and Initiates First-Ever Clinical Trial of an RNAi Therapeutic," Philadelphia, October 7/PRNewswire, retrieved from the Internet. Retrived as <a href="http://www.biospace.com/news_story.cfm?StoryID=17599420&amp;full=1&amp;print=1">http://www.biospace.com/news_story.cfm?StoryID=17599420&amp;full=1&amp;print=1</a> (1 of 3) 1/31/2005 11:10:52 a.m. 2 pages
	✖	News Release. Sirna Therapeutics. "Sirna Therapeutics Commences Phase I Clinical Trial for Age-Related Macular Degeneration at Cleveland Clinic," Boulder, Colo., Nov 23/PRNewsire. Retrieved from the Internet. Retrieved as <a href="http://phx.corporate-ir.net/phoenix.zhtml?c=141787&amp;p=irol-newsArticle&amp;ID=646830&amp;highlight=">http://phx.corporate-ir.net/phoenix.zhtml?c=141787&amp;p=irol-newsArticle&amp;ID=646830&amp;highlight=</a> (1 of 4) 01/31/05 11:16:03 AM, 4 pages
	✖	News Release. Sirna Therapeutics. "Sirna Therapeutics and Targeted Genetics Form Huntington's Disease Collaboration," Boulder, Colo. and Seattle, Jan. 11/PRNewswire. Retrieved from the Internet. Retrieved as <a href="http://phx.corporate-ir.net/phoenix.zhtml?c=141787&amp;p=irol-newsArticle&amp;ID=661337&amp;highlights=">http://phx.corporate-ir.net/phoenix.zhtml?c=141787&amp;p=irol-newsArticle&amp;ID=661337&amp;highlights=</a> (1 of 4) 01/31/05 11:14:20 AM, 4 pages
	✖	Rossi, "A Cholesterol Connection in RNAi," (2004) Nature, Vol. 432, pgs. 155-156
	✖	Soutschek et al., "Therapeutic silencing of an endogenous gene by systemic administration of modified siRNAs," (2004) Nature, Vol. 432, pgs. 173-178
	✖	ZFIN - The Zebrafish Model Organism Database. Database Information Sheet. Copyright © University of Oregon, 1994-2005, Eugene, Oregon. Retrieved from the Internet on 03/07/05. <a href="http://zfin.org/zf_info/dbase/db.html">http://zfin.org/zf_info/dbase/db.html</a> , 2 pages.
	✖	Xi et al., "RNAi suppresses polyglutamine-induced neurodegeneration in a model of spinocerebellar ataxia," (2004) Nature Medicine, Vol.10, No. 8, pgs. 816-820

<b>EXAMINER</b>	<b>Date Considered</b>
<p>*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	